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Attorney for Plaintiff
GREGORY BENDER

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

GREGORY BENDER,

Plaintiff,

v.

ADVANCED MICRO DEVICES, INC.,

Defendant.

Case No. C09-01149 MMC

**STIPULATION AND [~~PROPOSED~~]
ORDER**

1 WHEREAS the deadline for Advanced Micro Devices, Inc. ("AMD") to serve Patent L.R.
2 3-3 and 3-4 Disclosures is currently set for December 21, 2009 (D.E. 21);

3 WHEREAS AMD's Motion to Strike or Compel Patent L.R. 3-1 Compliant Infringement
4 Contentions is currently pending and will not be heard until January 27, 2010 (D.E. 26 and 34);

5 THEREFORE, pursuant to Civil Local Rule 6-2(a), the parties hereby STIPULATE and
6 AGREE that the deadline for AMD to serve Patent L.R. 3-3 and 3-4 Disclosures is the **later** of (a)
7 45 days after Bender serves infringement contentions that comply with Patent L.R. 3-1, OR (b) 14
8 days after the Court decides AMD's Motion To Strike or Compel Compliant Infringement
9 Contentions. The subsequent Patent Local Rules deadlines will follow from the modified Patent
10 L.R. 3-3 and 3-4 deadline. The declaration required by Civil Local Rule 6-2(a) is attached. (See
11 Huffsmith Declaration.)

12 Respectfully submitted,

13 Dated: December 17, 2009

By: /s/ Mark E. Miller

14 Mark E. Miller
15 O'Melveny & Myers LLP
16 Counsel for Defendant
17 ADVANCED MICRO DEVICES, INC.

18 Dated: December 17, 2009 By:

/s/ David N. Kuhn

19 David N. Kuhn
20 Attorney-at-Law
21 Counsel for Plaintiff GREGORY BENDER

22 Pursuant to General Order No. 45 X(B), I hereby attest that concurrence in the filing of
23 this document has been obtained from each of the above-listed signatories.

24 Respectfully submitted,

25 Dated: December 17, 2009

By: /s/ Anne E. Huffsmith

26 Anne E. Huffsmith
27 O'Melveny & Myers LLP
28 Counsel for Defendant
ADVANCED MICRO DEVICES, INC.

PURSUANT TO STIPULATION IT IS SO ORDERED:

12/17/09
Dated: _____

The Honorable Edward M. Chen
United States Magistrate

